

House File 110 - Introduced

HOUSE FILE _____
BY SMITH

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to leaving a child unattended or not properly
2 supervised in a motor vehicle, and providing a penalty.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 1748HH 83
5 dea/nh/24

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1 1 Section 1. NEW SECTION. 321.8A CHILD LEFT UNATTENDED OR
1 2 NOT PROPERLY SUPERVISED IN A MOTOR VEHICLE == PUBLICATION.
1 3 The department shall provide information to the public
1 4 concerning the hazards of leaving a child unattended or not
1 5 properly supervised in a motor vehicle. The department is
1 6 encouraged to include such information in the publication
1 7 distributed pursuant to section 321.15.
1 8 Sec. 2. NEW SECTION. 321.276 CHILD LEFT UNATTENDED OR
1 9 NOT PROPERLY SUPERVISED IN A MOTOR VEHICLE.
1 10 A person shall not leave a child six years of age or
1 11 younger in a motor vehicle unattended or under the supervision
1 12 of a person who is eleven years of age or younger. A person
1 13 does not violate this section if the person can maintain
1 14 visual contact with the child. A person who violates this
1 15 section commits a simple misdemeanor punishable as a scheduled
1 16 violation under section 805.8A, subsection 14, paragraph "j".
1 17 Sec. 3. Section 602.8108, subsection 2, Code 2009, is
1 18 amended to read as follows:
1 19 2. Except as otherwise provided, the clerk of the district
1 20 court shall report and submit to the state court
1 21 administrator, not later than the fifteenth day of each month,
1 22 the fines and fees received during the preceding calendar
1 23 month. Except as provided in subsections 3, 4, 5, 7, 8, ~~and~~
1 24 9, and 10, the state court administrator shall deposit the
1 25 amounts received with the treasurer of state for deposit in
1 26 the general fund of the state. The state court administrator
1 27 shall report to the legislative services agency within thirty
1 28 days of the beginning of each fiscal quarter the amount
1 29 received during the previous quarter in the account
1 30 established under this section.
1 31 Sec. 4. Section 602.8108, Code 2009, is amended by adding
1 32 the following new subsection:
1 33 NEW SUBSECTION. 10. The state court administrator shall
1 34 allocate fifty percent of the fines and fees attributable to
1 35 violations of section 321.276 to the department of
2 1 transportation to be used for the provision of information as
2 2 provided in section 321.8A.
2 3 Sec. 5. Section 805.8A, subsection 14, Code 2009, is
2 4 amended by adding the following new paragraph:
2 5 NEW PARAGRAPH. j. UNATTENDED CHILD IN A MOTOR VEHICLE.
2 6 For a violation under section 321.276, the scheduled fine is
2 7 one hundred dollars.

EXPLANATION

2 8
2 9 This bill creates a criminal offense for leaving a child
2 10 unattended or not properly supervised in a motor vehicle. The
2 11 bill prohibits leaving a child in a motor vehicle unattended
2 12 or under the supervision of a person who is 11 years of age or
2 13 younger. A person who is able to maintain visual contact with
2 14 the child in the motor vehicle does not violate the bill.
2 15 A violation of the bill is a simple misdemeanor punishable
2 16 by a scheduled fine of \$100.
2 17 The bill requires the department of transportation to
2 18 publicize the hazards of leaving a child unattended or not
2 19 properly supervised in a motor vehicle. Fifty percent of the
2 20 fines and fees collected for violation of the bill shall be

2 21 allocated to the department for that purpose.
2 22 LSB 1748HH 83
2 23 dea/nh/24